

## Reclamation Manual

### Directives and Standards

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**Subject:** Flexible Workplace Program. These instructions set forth Reclamation policies and procedures governing the Flexible Workplace Program to include both working at home (Flexiplace) and telecommuting to an off-site satellite location. Both short- and long-term situations are covered by this supplement.

**Purpose:** Reclamation supports the Work-at-Home and Telecommuting Programs as human resource and family friendly initiatives designed to benefit the employee in balance with the degree to which management, organizational, and operational requirements are able to permit their usage. In addition, these programs provide support for public efforts to reduce pollution, traffic congestion, and energy consumption.

Participation in the Flexible Workplace Program is not an employee right. Employees may request participation in the program, but management retains ultimate responsibility for determining if a position and employee are suitable for off-site work. On the other hand, management may not require an employee to work at home; employee participation must be entirely voluntary.

**Authority:** Office of Personnel Management Letter, Subject: Alternative Workplace Arrangements (Flexiplace) dated October 21, 1993.

General Services Administration Letter dated March 15, 1994.

FPM Letter 368-1, Federal Flexible Workplace (Flexiplace) Project, March 26, 1991.

These programs are also in keeping with the general authorities agencies have for establishing hours of work, duty stations, and work sites as specified in 5 CFR 610.

**Contact:** For additional information, contact the Reclamation Program Group, D-4200.

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#### 1. Definitions and Uses.

- A. **Flexible Workplace (Flexiplace).** Flexible workplace arrangement means working 1 or more days at home or in an office very near home (telecommuting), rather than in the traditional office, sometimes utilizing a computer, modem, and other equipment to transmit data or information over telephone lines.
- B. **Types of Workplaces.** There are three basic types of flexible workplaces (although others may also arise), but Reclamation currently uses only the work-at-home type:

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- (1) **Work-at-Home.** Working in a space already specifically set aside as an office in a home or working in an area in an employee's home that will be used as the work site.
- (2) **Satellite Facility (Telecommuting).** Working from an office near the employee's home in a building owned or leased by one or more agencies or GSA so that employees may work there primarily because it is close to home, not because they work for the same organization/agency or perform similar functions.
- (3) **Cooperative Administrative Support Unit.** Using, on an as-needed basis, a geographically convenient extension of the main or headquarters office. For example, leasing space in an area of the city away from the main work site. Employees working at home in that vicinity could obtain services or equipment not readily available in the home such as copy machines, meeting rooms, reference materials, fax machines, office equipment and supplies, FTS telephone accessibility, etc. This would be a combination of working at home and telecommuting.

C. **Using the Flexible Workplace Program.** The flexible workplace program is appropriate in a variety of circumstances including temporary and permanent arrangements as well as short- and long-term periods. Examples include:

- (1) Part-time working at home while recovering from illness or injury.
- (2) Taking care of family members for a variety of reasons.
- (3) Reducing time on worker's compensation.
- (4) Maternity/paternity leave.
- (5) Accommodating the physically disabled.
- (6) Project work.
- (7) Intermittent need for quiet.
- (8) Occasional need for concentration on an issue.
- (9) Writing work.

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(10) Temporary closure of main work site for repairs/renovation or weather.

(11) Regular and recurring work for 1 or more days per pay period or week.

D. **Working at Home on a Regular Basis.** These persons should be required to report to the official duty station at least once per pay period and preferably once a week.

E. **Physician's Approval.** Appropriate approval from a physician should be obtained when illness, injury, or maternity leave is involved.

## 2. Approval and Administrative Responsibilities.

A. **Administrative Authority.** The authority to administer the Flexible Workplace Program to include study and implementation of telecommuting processes where feasible is delegated as follows:

(1) Regional Directors for their respective regions.

(2) Director, Human Resources for the Commissioner's Office (CO), the Reclamation Service Center (RSC), and the Administrative Service Center (ASC) in Denver.

B. **Approval Authority.** The authority to approve individual employee work-at-home situations is delegated as follows:

(1) Regions: To the first level of supervision below the Regional Director/Assistant Director in the Regional Office and to Area Managers. This authority may be further delegated down to and including immediate supervisors/leaders.

(2) CO, RSC, and ASC: To immediate supervisors/leaders.

C. **Flexiplace Coordinators.** Each Regional Personnel Office and the Human Resources Office in Denver will designate a Flexiplace Coordinator who will provide advisory service to management and employees upon request. The coordinator is responsible for promoting and publicizing the program as needed.

D. **Agreements and Checklists.** The immediate supervisor/leader and the employee who will be working at home must sign an agreement (see figure 1) covering the various aspects of work rules and regulations that are of potential impact.

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- (1) The agreement is necessary because of the many legal and regulatory ramifications associated with establishment of work sites. Each of the various areas impacted is addressed in the agreement.
- (2) The agreement provides protection for both the employee and management with respect to these numerous areas impacted.
- (3) In addition, the employee must accomplish a safety check of the work area using and self-certifying a safety checklist.
- (4) A more formal safety check may be accomplished at the discretion of the supervisor or leader.
- (5) A sample agreement with a safety checklist is attached and should be kept with the Time and Attendance (T&A) record after completion.
- (6) Agreements should not exceed 1 year at a time, but may be renewed each succeeding year by pen and ink change to dates with initials by both employee and supervisor/leader.
- (7) Electronic versions of the agreement and checklist are acceptable, if E-mailed from the employee's LAN user ID to the supervisor/leader for approval. If approved, the supervisor returns the agreement and checklist by E-mail to the employee with a copy to the timekeeper for retention with the T&A. A copy should also be E-mailed to the Human Resources/Personnel Office for statistical purposes.

E. **Considerations.** There are five issues/areas to consider when considering working at home:

- (1) The work to be done at home.
- (2) The individual employee who will work at home (at least a fully successful performance rating is required).
- (3) Cost.
- (4) The work site.
- (5) The method of work measurement (it often changes to a results oriented review process).

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- F. **Work Schedules.** Employees may elect their work schedule in the same manner as when working at the office.
- (1) Schedules may include either compressed schedules or flexible schedules with credit hours.
  - (2) Working before 6 a.m. or after 6 p.m. may also be permitted on an occasional or irregular basis.
  - (3) Working on Sunday may be permitted on an occasional or irregular basis.
  - (4) Regularly scheduled night and Sunday work and any Holiday work must be avoided unless it is an essential operational requirement. Premium and differential pay may not be made solely to accommodate personal needs of the employee (see paragraph G below).
  - (5) Supervisors/leaders may also visit the employee at the home work site during scheduled work hours. Such visits should normally be made on an appointment basis, although unannounced visits are also permissible when the situation warrants it.
- G. **Premium and Differential Pay.** Overtime, holiday, Sunday, night, alternative work schedule, etc., rules and pay requirements apply the same as at the normal work site.
- (1) Supervisors/leaders need to ensure that nonexempt employees are aware that they must obtain prior approval to work overtime and that they may not donate time.
  - (2) Prior approval to work overtime is especially important when working at home as studies have shown that many employees want to be sure that no one thinks they are giving less than a full workday and tend to work longer than scheduled.
  - (3) However, nonexempt employees who choose to work extra time without requesting prior supervisory/leader approval after having been advised that they must have prior overtime approval, do so without a right for overtime reimbursement.
  - (4) Nonexempt employees who habitually work in excess of the hours approved by management should be removed from the Flexible Workplace Program.
  - (5) Exempt employees must have prior supervisory/leader approval to be compensated for overtime work in the same manner as employees at the regular work site.

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- (6) Employees recovering from illness or injury may normally not earn credit hours under a flexible work schedule or overtime under any work schedule without specific, written approval from a physician.

H. **Emergency Closures.** If an emergency closing of the main work site occurs or if employees are excused from reporting due to severe weather, etc., employees working at home should not be excused unless their work is so dependent on the main site that they cannot continue to work.

For example, if an employee working at home uses the central computer from home via modem, that employee should not be excused from work unless the central computer goes down or is otherwise unavailable.

### 3. Work Environment.

#### A. Equipment.

- (1) **Equipment Sign Out.** Reclamation procedures for signing for equipment checked out must be followed.
  - (a) This includes completion of DI-1934, Property Pass (except for normal and reasonable office supplies).
  - (b) Employees may leave equipment at home when employee returns to the official work site as it would not be practical to transport this equipment back and forth under this program.
- (2) **Authorized Equipment.** Includes computers, calculators, modems, telephone line installation, FTS 2000 calling cards, call forwarding, and other specialized telephone services (if essential for performance of the work), office supplies, etc.
- (3) **Equipment Not Authorized.** Equipment that will normally not be provided to employees includes copiers, answering machines, desks, chairs, lamps, etc.
- (4) **Medical Conditions.** Equipment needs arising from medical conditions, to facilitate reasonable accommodations, and to meet special financial hardship requirements will be considered on a case-by-case basis.

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- (5) **Personal Equipment.** Any needed equipment may be supplied by the employee on their own volition and at their own expense, including personally owned microcomputers. However, software licenses pertaining to personally owned equipment must not be violated.
- (6) **Maintenance.** Maintenance and repair of personally owned equipment will be the responsibility of the employee.
- (7) **Funding.** Funding for equipment and other costs are the responsibility of the organization in which the employee works.
- B. **Security.** Computer security regulations, procedures, and guidelines must be complied with to protect sensitive information and computer hardware and software. The appropriate computer security representative should be consulted to review regulations, procedures, and guidelines.
- C. **Software Licensing.** Licensing agreements must be strictly observed as outlined in the agreement.
- D. **Tax Deductions.** Tax deductions will normally not apply for use of the home as a place of work under this program. Employees are encouraged to seek tax advice if needed to determine any entitlements as a result of working at home.
- E. **Home Owner's Insurance.** Employees should notify their insurance companies that they are working at home. There normally should be no additional charge for working at home under Flexiplace, but that must be worked out between the employee and his/her insurance company.
- F. **OSHA.** OSHA requirements apply and employees who work at home are covered by workers compensation. This is the reason for the safety checklist as the employee certifies that the home work site is a reasonably safe place to work.
- G. **Miscellaneous Expenses.** Miscellaneous expenses are reimbursed by submission of SF-1164, Claim for Reimbursement for Expenditures on Official Business. Miscellaneous expenses should be limited and will most likely be telephone expenses such as long distance calls.
- H. **Obtaining Office Supplies.** Office supplies should normally be obtained at the main work site.

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#### 4. Termination of Flexiplace Arrangements.

- A. **By Management.** As noted above, Flexiplace workplace arrangements are not an employee's right or condition of employment. Management may end participation at any time for any appropriate reason. Such reasons could include:
- (1) A decline in performance.
  - (2) A determination that the program failed to benefit the organization.
  - (3) Communication problems.
- B. **Written Notice.** Whenever feasible, management will provide a written 30-day notice of cancellation; but, termination may be immediate if circumstances preclude waiting for the notice period.
- C. **Meetings.** In addition, management will attempt to provide a 24-hour notice of meetings or other events requiring the employee's presence at the permanent work site, but in an emergency or urgent work requirement the call back may be immediate during working hours.
- D. **Employee Requests.** Employees may also request to end participation in Flexiplace at any time. In this situation, management will make arrangements for the employee to return to the main work site as quickly as possible, but no later than 30 days after requested by the employee.

#### 5. Reporting Requirements.

- A. **Agreements.** Personnel Offices should be furnished a copy of the signed agreement for statistical record keeping purposes only. Formal approval of the Personnel Office is not required.

#### 6. Union Involvement.

- A. All obligations concerning consultation with unions holding National Consultation Rights have been satisfied by the Denver Office.
- B. Unions holding exclusive recognition at local installations have the right to negotiate on the implementation of this policy at the level of recognition.
- C. This Reclamation Manual may not be used with bargaining unit employees until local negotiations have been completed.



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- D. Negotiated deviations on this instruction and other authorities listed above are subject to the approval of the Human Resources Office (D-4200) prior to final agreement at the local level.

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